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Letter dated 22 December 1997 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 12 December 1997 from the Federal Government of the Federal Republic of Yugoslavia addressed to you (A/52/733-S/1997/984, annex).

The letter unfortunately shows that the position of the Federal Republic of Yugoslavia on the Prevlaka issue has not evolved from that presented in the previous letter of the President of the Yugoslav Federal Government of 21 May 1997 (S/1997/394, annex). The issue of Prevlaka has once again been presented as a "territorial dispute". Furthermore, the letter accuses the Croatian Government of pursuing a policy of fait accompli aimed at incorporating the peninsula of Prevlaka into Croatia.

The latter insinuation is completely unfounded, in open disregard of international law, in particular of the principle uti possidetis, and stands in sharp contrast with the view of the whole international community. The fact that the Security Council has reaffirmed its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia in previous resolutions dealing with Prevlaka, adopted under the agenda item "The situation in Croatia", confirms the reality that Prevlaka is an integral part of the Republic of Croatia.

The Republic of Croatia has shown an understanding for the security reasons of the Federal Republic of Yugoslavia in respect of the Bay of Boka Kotorska. These concerns have been formally recognized by my Government in the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia (A/51/351-S/1996/744, annex).

In the stated Agreement both countries accepted the fact that the mandate of the United Nations Mission of Observers in Prevlaka (UNMOP) could not be renewed interminably and agreed to find a solution for this sole outstanding security issue in the Dubrovnik and Boka Kotorska regions, through bilateral negotiations. The Croatian Government strongly believes that a proper security arrangement consistent with international law and the security interests of the two States can be found, as soon as the Federal Republic of Yugoslavia begins to respect the basic principle of inviolability of international borders, which represents the cornerstone of the international legal and political system.

The Republic of Croatia is committed to the maintenance of international peace and security. It is for that reason that Croatia accepted UNMOP and later made several proposals in regard to a possible permanent security arrangement. The Federal Republic of Yugoslavia so far has not responded to these proposals.

In this regard, the Croatian Government is encouraged by the indications that the Government of the Yugoslav Republic of Montenegro could in the near future be more open for cooperation, which may result in the opening of an international border crossing at Debeli Brijeg. Croatia believes that such a development would contribute significantly to confidence-building in the area.

The situation in the Dubrovnik region of Croatia and the Boka Kotorska region in the Federal Republic of Yugoslavia remains stable and secure. In this context, the Croatian Government would like to commend the work of UNMOP, which has contributed to the achievement of these goals. However, the role of the international community should now be more focused on giving incentives for future negotiations on a permanent security arrangement than on maintaining, for both sides, an unacceptable status quo.

May I ask for your kind assistance in circulating the present letter as a document of the General Assembly, under agenda item 82, and of the Security Council.

(Signed) Ivan ŠIMONOVIĆ
Ambassador
Permanent Representative